

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JEREMY ALLEN MILLER,

Plaintiff,

V.

LT. MATTHEW SHAW,

Defendant.

Civil Action No. 7:21cv00545

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Jeremy Allen Miller, proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. By conditional filing order entered October 20, 2021, the court advised Miller that he must notify the court in writing immediately upon his transfer or release and must provide the court with his new address. (*See* ECF No. 3.) The court further advised Miller that failure to provide an updated address would result in dismissal of this action. (*Id.*) On May 31, 2022, an order mailed to Miller was returned to the court as undeliverable and with no forwarding address. (*See* ECF No. 21.) Miller has not provided the court with an updated address. Accordingly, the court will dismiss this action without prejudice for failure to comply with the court's order. The court notes that this dismissal is without prejudice to Miller's opportunity to refile his claim in a separate civil action, subject to the applicable statute of limitations.

The clerk is directed to forward copies of this Memorandum Opinion and accompanying Order to the defendant's counsel and to Miller at his last known address.

ENTERED this 2nd day of June, 2022.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE